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10 Attorneys for Plaintiff JULIEN POINSIGNON

11 UNITED STATES DISTRICT COURT
12
13 NORTHERN DISTRICT OF CALIFORNIA
14

15 JULIEN POINSIGNON, on behalf of himself, all
16 others similarly situated,

17 Plaintiff,

18 vs.

19 IMPERVA, INC., *et al.*,

20 Defendants.
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Case No.: 17-cv-05653-LB

Assigned to Dept. 21 for Initial Case Management
and Presiding Judge for Complex Determination

CLASS ACTION

**NOTICE OF DISMISSAL OF DEFENDANT
INSPERITY PEO SERVICES, L.P.
WITHOUT PREJUDICE PURSUANT TO
FED. R. CIV. PROC. 41(A)**

Complaint Filed: August 25, 2017
Removed: September 29, 2017

TO THE COURT, TO ALL PARTIES AND TO THEIR COUNSEL OF RECORD:

Because Defendant INSPERITY PEO SERVICES, L.P. has not yet answered in this matter, pursuant to Fed. R. Civ. P. 41(a)(1)(A)(i), Plaintiff Julien Poinsignon (“Plaintiff”), by and through his counsel of record, hereby provides notice of dismissal of his claims against Defendant INSPERITY PEO SERVICES, L.P., as follows:

1. Plaintiff dismisses of his individual claims against Defendant INSPERITY PEO SERVICES, L.P. *without prejudice*.
2. Plaintiff dismisses his alleged class-wide claims against Defendant INSPERITY PEO SERVICES, L.P. *without prejudice*.
3. Plaintiff **is not** dismissing any defendant other than Defendant INSPERITY PEO SERVICES, L.P. and will proceed against Defendant Imperva, Inc. and all Doe Defendants.

Because no class has been certified in this action, the Court’s approval of these dismissals is not additionally required pursuant to Rule 23(e) of the Federal Rules of Civil Procedure. *See*, Fed. R. Civ. P. 23(e).

Respectfully submitted,

Dated: October 6, 2017,

SETAREH LAW GROUP

By: _____

Shaun Setareh
H. Scott Leviant

Attorneys for Plaintiff

PROOF OF SERVICE**STATE OF CALIFORNIA, COUNTY OF LOS ANGELES**

I am employed in the State of California, County of Los Angeles. I am over the age of 18 and not a party to the within suit; my business address is 9454 Wilshire Blvd., Suite 907, Beverly Hills, CA 91202.

On the date indicated below, I served the document described as: **REQUEST FOR DISMISSAL OF DEFENDANT INSPERITY PEO SERVICES, L.P. WITHOUT PREJUDICE** on the interested parties in this action by sending ☐ the original [or] ☒ a true copy thereof ☒ to interested parties as follows [or] ☐ as stated on the attached service list:

Boris Sorsher
bsorsher@fisherphillips.com
FISHER & PHILLIPS LLP
2050 Main Street, Suite 1000
Irvine, CA 92614

Counsel for Insperity

☒ **BY MAIL (ENCLOSED IN A SEALED ENVELOPE):** I deposited the envelope(s) for mailing in the ordinary course of business at Los Angeles, California. I am “readily familiar” with this firm’s practice of collection and processing correspondence for mailing. Under that practice, sealed envelope are deposited with the U.S. Postal Service that same day in the ordinary course of business with postag thereon fully prepaid at Los Angeles, California.

☐ **BY E-MAIL:** I hereby certify that this document was served from Los Angeles, California, by e-mail delivery on the parties listed herein at their most recent known e-mail address or e-mail of record in this action.

☐ **BY FAX:** I hereby certify that this document was served from Los Angeles, California, by facsimile delivery on the parties listed herein at their most recent fax number of record in this action.

☐ **BY PERSONAL SERVICE:** I delivered the document, enclosed in a sealed envelope, by hand to the offices of the addressee(s) named herein.

☐ **BY OVERNIGHT DELIVERY:** I am “readily familiar” with this firm’s practice of collection and processing correspondence for overnight delivery. Under that practice, overnight packages are enclosed in a sealed envelope with a packing slip attached thereto fully prepaid. The packages are picked up by the carrier at our offices or delivered by our office to a designated collection site.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed this **October 6, 2017** at Los Angeles, California.

H. Scott Leviant
Type or Print Name


Signature